

Fighting Food Waste Through the Emerson Act

Presented by WW International and Food Tank

THE PROBLEM

This year, **1 in 8 Americans are expected to experience food insecurity**—an unprecedented 42 million people. At the same time, **\$408 billion** is spent processing, transporting, storing, and disposing of food that's never eaten, *each year*. **That's 24% of all food in the US going to waste**, instead of going to those who need it.

The issue is not always a lack of food: It's the inability to effectively leverage our food system. Many potential donors still cite fear of liability, partially caused by a lack of clarity in or understanding of the 1996 Bill Emerson Good Samaritan Act, as the reason they don't donate.

A START TO THE SOLUTION

The stats are staggering, but there's good news: A start to the solution is on the table. As of December 13, 2021, **the Food Donation Improvement Act of 2021** (S.3281) has been introduced in the Senate (by Senators Blumenthal, D-CT and Toomey, R-PA) and the House (by Representatives McGovern, D-MA; Newhouse, R-WA; Pingree, D-ME; and Walorski, R-IN).

The goal of this bipartisan bill is to expand food donation efforts across the country by amending the 1996 Bill Emerson Good Samaritan Food Donation Act.

The bill includes the following changes:



Clarifying and adding key terms and conditions, such as "good samaritan reduced price" and "qualified direct donor" to reduce fear of retribution on the part of donors



Broadening protections to include more types of food donations, including items sold at "Good Samaritan Cost" and direct donations. This would allow retail grocers, agricultural producers, restaurants, school food authorities, higher education institutions, and more to increase the quantity and efficiency of their food donations



Directing USDA to clarify the quality and labeling standards that donated food products must meet to be eligible for liability protection

CROSS-SECTOR SUPPORT

In addition to bipartisan support on the Hill, the act is also supported by a cohort of corporations and nonprofits led by wellness company WW International and Harvard Law School Food Law & Policy Clinic. In an **open letter**, these 28 organizations urged Congress to pass the act in order to advance food donation efforts nationwide.

They have also garnered crucial constituent support with a **Change.org petition**, which now has **more than 33,000 signers**.

CONTACT

If interested in supporting this effort, please reach out to **alison_council@blumenthal.senate.gov** and **wesley_wright@toomey.senate.gov** regarding the Senate bill or **matt.bonaccorsi@mail.house.gov** in McGovern's office and **victoria.bonney@mail.house.gov** Pingree's office.